

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BRANDON WASHINGTON,

Plaintiff,

vs.

**NS CONSULTING, LLC, and ANDREW
NORTHWALL,**

Defendants.

8:22CV232

**THIRD AMENDED
CASE PROGRESSION ORDER**

This matter is before the Court following a planning conference held by telephone with counsel for the parties on September 6, 2023. In accordance with the matters discussed during the planning conference and for good cause shown,

IT IS ORDERED as follows:

- 1) Plaintiff's Motion to Compel Response to Written Discovery ([Filing No. 30](#)) is deemed withdrawn. The deadline for Defendants to fully respond to all outstanding written discovery is **September 27, 2023**.
- 2) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure is extended to **October 13, 2023**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **October 27, 2023**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 3) A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, including their interest in a court-supervised settlement conference, and the trial and pretrial conference settings, including whether the parties will waive a jury trial, is scheduled with the undersigned magistrate judge on **November 29, 2023**, at **9:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. ([Filing No. 7](#)).
- 4) The deadline for filing motions to dismiss and motions for summary judgment is **December 1, 2023**.
- 5) The deposition deadline and expert disclosure deadlines have expired and will not be extended based upon counsel's representation that they do not intend to use experts or take depositions.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.
- 8) Plaintiff's Motion for Extension of Deadlines ([Filing No. 29](#)) is denied as moot.

Dated this 6th day of September, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge